

Applicants: Wieland, et al.
Serial No.: 10/644,377
Filed: 20 August 2003
Amendment dated July 21, 2006
Page 6

RECEIVED
CENTRAL FAX CENTER
JUL 21 2006

REMARKS

The present application has claims 1-13 pending. Claims 9-13 have previously been conditionally withdrawn from consideration as being directed to a non-elected invention, but not yet cancelled. In the present amendment, Applicants have amended claim 1 to add the limitation of claim 2 thereto, cancelled claim 2 and amended claim 3 to depend from newly amended claim 1 instead of claim 2. Additionally, Applicants have made a parallel amendment to withdrawn claim 9; that is, added the limitation of claim 10 (which is the same limitation as cancelled claim 2), cancelled claim 10, and amended withdrawn claim 11 to depend from newly amended claim 9 instead of claim 10. No new matter has been introduced by the amendments.

In the April 21, 2006 Office Action, the Examiner finally rejected claim 1 as allegedly anticipated and/or obvious over Hwang, U.S. Patent No. 6,436,363 ("Hwang"). The Examiner indicated, however, that claims 2-8 would be allowable if rewritten in independent form, although they were objected to as depending from a rejected claim. Applicants disagree with the Examiner's position but, in order to advance prosecution of the present application, have amended claim 1 to incorporate the limitation of allowable claim 2. In light of this amendment, Applicants believe claims 1 and 3-8 are now in condition for allowance.

The Examiner has previously issued a restriction requirement maintaining that claims 2-8 of the subject application are drawn to an invention separate and distinct from the invention of claims 9-13. Claim 1 was asserted as a linking claim, linking the two inventions of the remaining claims. The Examiner also indicated that upon allowance of the linking claim, claim 1, the restriction requirement would be withdrawn and Applicants would be entitled to examination in the present application of all dependent claims containing the limitations and restrictions of the linking claim.

Applicants: Wieland, et al.
Serial No.: 10/644,377
Filed: 20 August 2003
Amendment dated July 21, 2006
Page 7

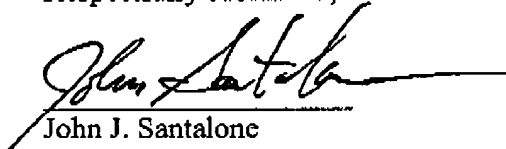
In anticipation of the possible allowance of linking claim 1 (and the withdrawal of the conditional restriction requirement), Applicants have amended withdrawn claim 9 so that all the dependent claims of the application would contain the limitations and restrictions of claim 1.

In view of the foregoing amendments and remarks, reconsideration of the rejections and objections set forth in the April 21, 2006 Office Action is respectfully requested, and allowance of pending claims 1, 3-9 and 11-13 is earnestly solicited.

No fee is believed to be due with respect to the filing of this amendment. If any fee is due, please charge our Deposit Account No. 11-0171 for such sum.

If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,


John J. Santalone
Registration No.: 32,794
Attorney for Applicants

Kalow & Springut LLP
Telephone No.: (212) 813-1600